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In re Application of	:	
JIN et al.	:	
U.S. Application No. 10/501,452	:	DECISION ON PETITION
PCT No.: PCT/JP03/00252	:	
Int. Filing Date: 15 January 2003	:	
Priority Date: 15 January 2002	:	
Attorney Docket No.: 042586	:	
For: SOLVENT-SOLUBLE BLOCK	:	
COPOLYMERIZATION POLYIMIDE	:	
COMPOSITION, AND ITS	:	
PRODUCTION PROCESS	:	

This decision is in response to applicants' "Renewed Petition under 37 CFR 1.47(a)" filed 09 June 2005 to accept the application without the signature of joint-inventor, Akihito Taniguchi. No petition fee is required.

BACKGROUND

On 15 January 2003, applicants filed international application PCT/JP03/00252 which claimed a priority date of 15 January 2002. A copy of the international application was communicated to the United States Patent and Trademark Office from the International Bureau on 24 July 2003. Pursuant to 37 CFR 1.495, the deadline for payment of the basic national fee in the United States was to expire 30 months from the international filing date, 15 July 2004.

On 14 July 2004, applicants filed a transmittal letter for entry into the national stage in the United States, which accompanied by, inter alia: the requisite basic national fee as required by 35 U.S.C. 371(c)(1); international search report; and a translation of the international application.

On 13 September 2004, the United States Designated/Elected Office mailed a Notification of Missing Requirements under 35 U.S.C. 371 (Form PCT/DO/EO/905) indicating that an oath or declaration in compliance with 37 CFR 1.497(a) and (b) must be filed. The notification set a two-month time limit in which to respond.

On 04 November 2004, applicants filed a declaration executed by five of the six joint-inventors.

On 22 November 2004, the United States Designated/Elected Office mailed a Notification of Defective Response (Form PCT/DO/EO/916) indicating that an oath or

declaration in compliance with 37 CFR 1.497(a) and (b) must be filed.

On 11 March 2005, applicants filed a petition under 37 CFR 1.47(a). The petition was dismissed without prejudice in a Decision on Petition dated 18 April 2005.

On 09 June 2005, applicants filed "Renewed Petition under 37 CFR 1.47(a)."

DISCUSSION

A petition under 37 CFR 1.47(a) must be accompanied by: (1) the fee under 37 CFR 1.17, (2) factual proof that the missing joint inventor refuses to execute the application or cannot be reached after diligent effort, (3) a statement of the last known address of the missing inventor, and (4) an oath or declaration by each 37 CFR 1.47(a) applicant on his or her own behalf and behalf of the nonsigning joint inventor. Items (1),(2), and (4) have been satisfied.

A review of the present petition and the accompanying papers reveal that applicant has satisfied item (2), in that the applicant has shown that a bona fide attempt was made to present the application papers, including the specification, claims, and drawings to Akihito Taniguchi. The steps taken are sufficient to show that the nonsigning inventor refuses to execute the application.

Regarding item (3) above, petitioner has not provided a clear statement of the last known address of the non-signing inventor. See M.P.E.P. 409.03(e).

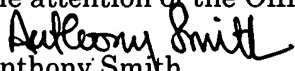
For the reasons stated above, it would not be appropriate to accept the application without the signature of Akihito Taniguchi under 37 CFR 1.47(a) at this time.

CONCLUSION

The petition under 37 CFR 1.47(a) is DISMISSED without prejudice.

If reconsideration on the merits of this petition is desired, a proper response must be filed within **TWO (2) MONTH** from the mail date of this decision. Any reconsideration request should include a cover letter entitled "Renewed Petition Under 37 CFR 1.47(a)."

Any further correspondence with respect to this matter should be addressed to: Mail Stop PCT, Commissioner for Patents, Office of PCT Legal Administration, P.O. Box 1450, Alexandria, Virginia 22313-1450, with the contents of the letter marked to the attention of the Office of PCT Legal Administration.


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